

EJ-130

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number and address): ALAN L. ROSEN, BAR #67328 LAW OFFICES OF ROSEN & LOEB 16000 VENTURA BLVD., SUITE 1150 ENCINO, CA 91436 TELEPHONE NO.: (818) 907-5866 FAX NO.: (818) 461-5959 E-MAIL ADDRESS: ATTORNEY FOR (Name): PLAINTIFF <input checked="" type="checkbox"/> ATTORNEY FOR <input checked="" type="checkbox"/> JUDGMENT CREDITOR <input type="checkbox"/> ASSIGNEE OF RECORD		FOR COURT USE ONLY	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA STREET ADDRESS: 1301 CLAY SREET, SOUTH TOWER, SUITE 400S MAILING ADDRESS: SAME AS ABOVE CITY AND ZIP CODE: OAKLAND, CA 94612-5212 BRANCH NAME: NORTHERN DISTRICT-OAKLAND DIVISION			
PLAINTIFF: J & J SPORTS PRODUCTIONS, INC.  DEFENDANT: CUONG THE DIEP, individually and d.b.a. LANG THANG			
WRIT OF <input checked="" type="checkbox"/> EXECUTION (Money Judgment) <input type="checkbox"/> POSSESSION OF <input type="checkbox"/> Personal Property <input type="checkbox"/> SALE <input type="checkbox"/> Real Property		CASE NUMBER: 4:11-CV-05470-YGR <input checked="" type="checkbox"/> Limited Civil Case <input type="checkbox"/> Small Claims Case <input type="checkbox"/> Unlimited Civil Case <input type="checkbox"/> Other _____	

1. To the Sheriff or Marshal of the County of: SANTA CLARA

You are directed to enforce the judgment described below with daily interest and your costs as provided by law.

2. To any registered process server: You are authorized to serve this writ only in accord with CCP 699.080 or CCP 715.040.

3. (Name): J &amp; J SPORTS PRODUCTIONS, INC.

is the ☒ judgment creditor ☐ assignee of record whose address is shown on this form above the court's name.

4. Judgment debtor (name, type of legal entity stated in judgment if not a natural person, and last known address):

CUONG THE DIEP, individually  
 and d.b.a. LANG THANG  
 1969 TULLY ROAD, SUITE 10  
 SAN JOSE CA 96122

☐ Additional judgment debtors on next page

5. Judgment entered on (date): 11/14/2012

6. ☐ Judgment renewed on (dates):

7. Notice of sale under this writ

a. ☒ has not been requested.b. ☐ has been requested (see next page).8. ☐ Joint debtor information on next page.

[SEAL]

9. ☐ See next page for information on real or personal property to be delivered under a writ of possession or sold under a writ of sale.
10. ☐ This writ is issued on a sister-state judgment.
- |  |             |
|--|-------------|
| 11. Total judgment .....   | \$ 9,400.00 |
| 12. Costs after judgment (per filed order or memo CCP 685.090) .....                     | \$ 0.00     |
| 13. Subtotal (add 11 and 12) .....   | \$ 9,400.00 |
| 14. Credits .....  | \$ 0.00     |
| 15. Subtotal (subtract 14 from 13) .....   | \$ 9,400.00 |
| 16. Interest after judgment (per filed affidavit CCP 685.050) (not on GC 6103.5 fees) .. | \$ 85.12    |
| 17. Fee for issuance of writ .....   | \$ 0.00     |
| 18. Total (add 15, 16, and 17) .....   | \$ 9,485.12 |
19. Levying officer:
- (a) Add daily interest from date of writ (at the legal rate on 15) (not on GC 6103.5 fees) of 10% .....
 \$ 0.19 |

(b) Pay directly to court costs included in 11 and 17 (GC 6103.5, 68637; CCP 699.520(i)) .....
 \$ 0.00 |

20. ☐ The amounts called for in items 11-19 are different for each debtor. These amounts are stated for each debtor on Attachment 20.

Issued on (date): FEB 28 2014

Clerk, by  Deputy

NOTICE TO PERSON SERVED: SEE NEXT PAGE FOR IMPORTANT INFORMATION.

EJ-130

PLAINTIFF: J & J SPORTS PRODUCTIONS, INC.	CASE NUMBER:
DEFENDANT: CUONG THE DIEP , individually and d.b.a. LA	4:11-CV-05470-YGR

Items continued from page 1—

21. ☐ Additional judgment debtor (name, type of legal entity stated in judgment if not a natural person, and last known address):
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
22. ☐ Notice of sale has been requested by (name and address):
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
23. ☐ Joint debtor was declared bound by the judgment (CCP 989–994)
- a. on (date): \_\_\_\_\_ a. on (date): \_\_\_\_\_
- b. name, type of legal entity stated in judgment if not a natural person, and last known address of joint debtor: \_\_\_\_\_ b. name, type of legal entity stated in judgment if not a natural person, and last known address of joint debtor: \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- c. ☐ additional costs against certain joint debtors (itemize):
- \_\_\_\_\_
24. ☐ (Writ of Possession or Writ of Sale) Judgment was entered for the following:
- a. ☐ Possession of real property: The complaint was filed on (date): \_\_\_\_\_
- (Check (1) or (2)):
- (1) ☐ The Prejudgment Claim of Right to Possession was served in compliance with CCP 415.46. The judgment includes all tenants, subtenants, named claimants, and other occupants of the premises.
- (2) ☐ The Prejudgment Claim of Right to Possession was NOT served in compliance with CCP 415.46.
- (a) \$ \_\_\_\_\_ was the daily rental value on the date the complaint was filed.
- (b) The court will hear objections to enforcement of the judgment under CCP 1174.3 on the following dates (specify): \_\_\_\_\_
- b. ☐ Possession of personal property.
- ☐ If delivery cannot be had, then for the value (itemize in 24e) specified in the judgment or supplemental order.
- c. ☐ Sale of personal property.
- d. ☐ Sale of real property.
- e. Description of property: \_\_\_\_\_

## NOTICE TO PERSON SERVED

WRIT OF EXECUTION OR SALE. Your rights and duties are indicated on the accompanying *Notice of Levy* (Form EJ-150).

WRIT OF POSSESSION OF PERSONAL PROPERTY. If the levying officer is not able to take custody of the property, the levying officer will make a demand upon you for the property. If custody is not obtained following demand, the judgment may be enforced as a money judgment for the value of the property specified in the judgment or in a supplemental order.

WRIT OF POSSESSION OF REAL PROPERTY. If the premises are not vacated within five days after the date of service on the occupant or, if service is by posting, within five days after service on you, the levying officer will remove the occupants from the real property and place the judgment creditor in possession of the property. Except for a mobile home, personal property remaining on the premises will be sold or otherwise disposed of in accordance with CCP 1174 unless you or the owner of the property pays the judgment creditor the reasonable cost of storage and takes possession of the personal property not later than 15 days after the time the judgment creditor takes possession of the premises.

► A Claim of Right to Possession form accompanies this writ (unless the Summons was served in compliance with CCP 415.46).

MC-012

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): ALAN L. ROSEN, BAR #67328 LAW OFFICES OF ROSEN & LOEB 16000 VENTURA BLVD., SUITE 1150 ENCINO, CA 91436 TELEPHONE NO.: (818) 907-5866 FAX NO.: (818) 461-5959 ATTORNEY FOR (Name): PLAINTIFF	FOR COURT USE ONLY
NAME OF COURT: UNITED STATES DISTRICT COURT STREET ADDRESS: 1301 CLAY SREET, SOUTH TOWER, SUITE 400S MAILING ADDRESS: SAME AS ABOVE CITY AND ZIP CODE: OAKLAND, CA 94612-5212 BRANCH NAME: NORTHERN DISTRICT-OAKLAND DIVISION	
PLAINTIFF: J & J SPORTS PRODUCTIONS, INC.	
DEFENDANT: CUONG THE DIEP, individually and d.b.a. LANG THANG	
<b>MEMORANDUM OF COSTS AFTER JUDGMENT, ACKNOWLEDGMENT OF CREDIT, AND DECLARATION OF ACCRUED INTEREST</b>	
CASE NUMBER: 4:11-CV-05470-YGR	

1. I claim the following costs after judgment incurred within the last two years (indicate if there are multiple items in any category):

	Dates Incurred	Amount
a Preparing and issuing abstract of judgment		\$ 0.00
b Recording and indexing abstract of judgment		\$ 0.00
c Filing notice of judgment lien on personal property		\$ 0.00
d Issuing writ of execution, to extent not satisfied by Code Civ. Proc., § 685.050 (specify county):		\$ 0.00
e Levying officers fees, to extent not satisfied by Code Civ. Proc., § 685.050 or wage garnishment		\$ 0.00
f Approved fee on application for order for appearance of judgment debtor, or other approved costs under Code Civ. Proc., § 708.110 et seq.		\$ 0.00
g Attorney fees, if allowed by Code Civ. Proc., § 685.040		\$ 0.00
h Other: (Statute authorizing cost):		\$ 0.00
i Total of claimed costs for current memorandum of costs (add items a-h)		\$ 0.00

2. All previously allowed postjudgment costs: \$ 0.00
3. Total of all postjudgment costs (add items 1 and 2): **TOTAL \$ 0.00**

4. **Acknowledgment of Credit.** I acknowledge total credit to date (including returns on levy process and direct payments) in the amount of: \$ 0.00

5. **Declaration of Accrued Interest.** Interest on the judgment accruing at the legal rate from the date of entry on balances due after partial satisfactions and other credits in the amount of: \$ 85.12

6. I am the ☐ judgment creditor ☐ agent for the judgment creditor ☒ attorney for the judgment creditor.  
 I have knowledge of the facts concerning the costs claimed above. To the best of my knowledge and belief, the costs claimed are correct, reasonable, and necessary, and have not been satisfied.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 02/05/2014

ALAN L. ROSEN

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

#### NOTICE TO THE JUDGMENT DEBTOR

If this memorandum of costs is filed at the same time as an application for a writ of execution, any statutory costs, *not exceeding \$100 in aggregate* and not already allowed by the court, may be included in the writ of execution. *The fees sought under this memorandum may be disallowed by the court upon a motion to tax filed by the debtor, notwithstanding the fees having been included in the writ of execution.* (Code Civ. Proc., § 685.070(e).) A motion to tax costs claimed in this memorandum must be filed within 10 days after service of the memorandum. (Code Civ. Proc., § 685.070(c).)

(Proof of service on reverse)

MC-012

SHORT TITLE: J &amp; J SPORTS VS. THE DIEP

CASE NUMBER:

4:11-CV-05470-YGR

## PROOF OF SERVICE

☒ Mail ☐ Personal Service

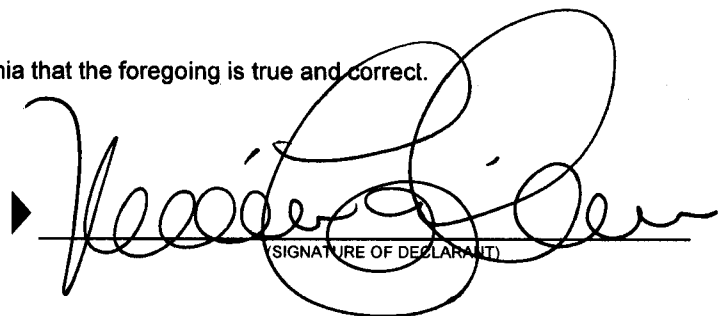
1. At the time of service I was at least 18 years of age and not a party to this legal action.
2. My residence or business address is (*specify*): 16000 VENTURA BLVD, STE 1150  
ENCINO, CA 91436
3. I mailed or personally delivered a copy of the *Memorandum of Costs After Judgment, Acknowledgment of Credit, and Declaration of Accrued Interest* as follows (*complete either a or b*):
  - a. ☒ **Mail.** I am a resident of or employed in the county where the mailing occurred.
    - (1) I enclosed a copy in an envelope AND
      - (a) ☐ deposited the sealed envelope with the United States Postal Service with the postage fully prepaid.
      - (b) ☒ placed the envelope for collection and mailing on the date and at the place shown in items below following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
    - (2) The envelope was addressed and mailed as follows:
      - (a) Name of person served: CUONG THE DIEP , individually and d.b.a. LANG THANG
      - (b) Address on envelope: 1969 TULLY ROAD, SUITE 10  
SAN JOSE, CA 96122
      - (c) Date of mailing: 02/05/2014
      - (d) Place of mailing (*city and state*): ENCINO, CA
  - b. ☐ **Personal delivery.** I personally delivered a copy as follows:
    - (1) Name of person served:
    - (2) Address where delivered:
    - (3) Date delivered:
    - (4) Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: 02/05/2014

VERONICA CARDENAS

(TYPE OR PRINT NAME)



SIGNATURE OF DECLARANT